

To: Ferrell, Mark[Ferrell.Mark@epa.gov]
From: Mark Ferrell
Sent: Fri 1/17/2014 5:10:13 PM
Subject: Fwd: ROCKEFELLER CO-SPONSORS LEGISLATION TO HOLD POLLUTERS ACCOUNTABLE FOR SPILLS

Begin forwarded message:

From: "Rockefeller, Press (Rockefeller)" <Press@rockefeller.senate.gov>
Date: January 17, 2014 10:00:21 AM EST
Subject: ROCKEFELLER CO-SPONSORS LEGISLATION TO HOLD POLLUTERS ACCOUNTABLE FOR SPILLS



FOR IMMEDIATE RELEASE

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January 17, 2014

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ROCKEFELLER CO-SPONSORS LEGISLATION TO HOLD POLLUTERS ACCOUNTABLE FOR SPILLS

*Senator signs on to pair of bills intended to address
Charleston, West Virginia chemical spill*

WASHINGTON, DC – A week after Freedom Industries spilled crude 4-methylcyclohexane methanol (MCHM) into the Elk River and tainted the water supply for more than 300,000 West Virginians, Senator Jay Rockefeller introduced a pair of bills that would make those responsible for a chemical spill pay for its cleanup and provide more funding for states and agencies tasked with cleanup.

“Last week’s enormous chemical spill poisoned the water supply for hundreds of thousands of West Virginians devastated families and shuttered schools, businesses. That crisis demands an immediate response,” Rockefeller said. “Whether through asking the Chemical Safety Board to investigate the spill’s causes; requesting more resources for the agency so it can figure out what went wrong and outline prevention strategies; or asking public health experts to examine the nature of this chemical and its long term health effects, I’m vigorously pursuing every avenue possible to assist as West Virginians deal with this emergency. Our families and businesses have suffered tremendously and have born significant costs already. This bill corrects a glaring hole in our law that leaves residents vulnerable to shouldering the cleanup costs associated with a non-hazardous chemical spill.”

Rockefeller co-sponsored the bills with Senator Brian Schatz (D-Hawaii), who is responding to a 233,000-gallon molasses spill that occurred in Honolulu last year. The bills are designed to:

- Force companies who spill materials that are dangerous but not deemed hazardous—like crude 4-methylcyclohexane methanol (MCHM)—to pay for cleanup costs under the 1980 Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), commonly known as Superfund. Currently polluters cannot be held liable under Superfund for cleanup costs if the materials released are not deemed hazardous; and
- Raise the Superfund cap on clean-ups associated with harmful spills from \$2 million to \$4 million, thus doubling the amount of Superfund money available for spill removal.

The two bills can be viewed [here](#) and [here](#).

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Rockefeller responded quickly to the spill, and since last week has acted on a number of fronts:

- Immediately following the incident, Rockefeller requested a Chemical Safety Board (CSB) investigation into the root cause of the incident;
- The CSB responded less than 24 hours later, announcing they would send a team to Charleston. That team arrived on Monday, January 13;
- Rockefeller urged colleagues working on a 2014 spending package to boost funding for the CSB, which is over-worked and under-staffed. A more robust funding level for the CSB was included in the omnibus spending bill, which now awaits action by the full Senate.
- Wrote a letter to the U.S. Environmental Protection Agency (EPA) and the Centers for Disease Control and Prevention (CDC), requesting a comprehensive study into the long-term public health risks associated with crude 4-methylcyclohexane methanol, or MCHM.

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